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10/001,721	10/30/2001	Shell S. Simpson	10007661-1	8457

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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BAYARD, DJENANE M

ART UNIT	PAPER NUMBER
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2141

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05/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/001,721	SIMPSON ET AL.
	Examiner Djenane M. Bayard	Art Unit 2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 February 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) 21-24 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

1. This is in response to communication sent on 2/14/07 in which claims 1-14 and 21-24 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1 and 11 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,045 to Teng et al in view of U.S. Patent Application No. 2003/0208607 to Yamazaki further in view of U.S. Patent 6,125249 to Ootsuka et al and further in view of U.S. Patent Application No. 2001/0052995 to Idehara

- a. As per claims 1 and 11, Teng et al teaches a method of: a. accessing from a user's browser a destination service representing at least one production device (See col. 5, lines 49-53, the network client perform system administration utilizing an ordinary network browser

application); retrieving imaging information of said user by said destination service (See col. 5, lines 59-63); selecting among production options provided by said destination service for determining a processing job to process said imaging information using said production device (See col. 8, lines 37-45, Menu fields and writeable fields for allowing the user to issue system administration commands back for use in controlling the operation of the printer); providing said user an option of reserving a start time fat which processing of said processing job using said production device is to occur (See figure 12 and col. 8, lines 40-45); if said user opts to reserve the start time, setting a deferred start time, storing said deferred processing job during a deferral period until said first deferred start time, and processing said deferred processing job using said production device with said selected production options at said first deferred start time (See col. 8, lines 40-45 and figure 12). However, Teng et al fails to teach estimating, based on said imaging information and said selected production options for said first processing a processing time required to process said first job using said production device and if processing of a second job is requested during a time period conflicting with processing of said first processing job based on the first deferred start time and the estimated processing time of the first processing job, providing an option of reserving a second deferred start time at which processing of the second job is to occur, the second deferred start time avoiding conflict with the processing of said first processing job; and if the estimated processing time of the first processing job is greater than an established threshold, providing an alternate production device for processing of the first processing job.

Yamazaki teaches when the reserved time set here is already reserved by other user, it is necessary to reset a reserved time (See page 5, paragraph [0076] and figure 6). Furthermore,

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Yamazaki teaches wherein the host computer generates reservation setting information in accordance with information set by a user interface of the reservation setting information to the image processor through the bidirectional communication medium... When a reservation is received from other user the CPU does not accept the reservation but it communicates that the reservation is not accepted to the host computer transmitting reservation setting information. The image processor performs reservation setting in accordance with the reservation setting information and analyzes source-reserving information included in the reservation setting information to secure resources (See page 14, paragraph [0232]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate if processing of a second job is requested during a time period that includes any remaining portion of the deferral period and the estimated processing time of the first processing job, an option of reserving a second deferred processing of the second job is provided, the second deferred start time occurring after an estimated completion time for deferred processing of said first processing job and estimating the time duration required to process said processing job using said at least one production device with said selected production options as taught by Yamazaki in the claimed invention of Teng et al in order to securely process a reserved job by making it possible to reserve a resource used for the reserved job (See page 1, paragraph [0011]). However, Teng et al in view of Yamazaki fails to teach wherein estimating, based on said imaging information and said selected production options for said first processing a processing time required to process said first job using said production device and the second deferred start time avoiding conflict with the processing of said processing

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job; and if the estimated processing time of the first processing job is greater than an established threshold, providing an alternate production device for processing of the first processing job.

Ootsuka et al teaches an image processing unit having reserve function. Furthermore, Ootsuka et al teaches wherein a reservation for a print operation is inputted, a required time for printing is operated on the basis of data such as the original size, the number of originals, the print size, the number of printing, etc for the reserved printing parameters of the apparatus such as an actual required time per print of each size in each parameter and the like, so that the print execution time zone is adjusted not to overlap with a print time zone for an already reserved copy on the basis of the operated required time and the deadline (desired end time) (See col. 13, line 58-67).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Ootsuka et al in the claimed invention of Teng et al in view of Yamazaki in order to enable proper execution of reserved processing when a plurality of reservations are made in an image processing unit having a reserve function (See col. 1, 56-59). However, Teng in view of Yamazaki and further in view of Ootsuka et al fails to teach wherein the estimated processing time of the first processing job is greater than an established threshold, providing an alternate production device for processing of the first processing job.

Idehara teaches an input-output selecting method for network system. Furthermore, Idehara teaches wherein if the estimated processing time of the first processing job is greater than an established threshold, providing an alternate production device for processing of the first processing job (See page 19, paragraph [0126] and page 20, paragraph [0218-0220]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Idehara in the claimed invention of Teng et al in view of Yamazaki and further in view of Ootsuka in order not to exceed a functional limit of the digital copy machine (See page 19, paragraph [0214]).

b. As per claims 4 and 12, Teng et al in view of Yamazaki and further in view of Ootsuka et al teaches the claimed invention as described above. Furthermore, Teng et al teaches estimating the resources required to process said first processing job using said production device with said selected production options (See col. 7, lines 40-45).

5. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,045 to Teng et al in view of U.S. Patent Application No. 2003/0208607 to Yamazaki further in view of U.S. Patent 6,125249 to Ootsuka et al further in view of U.S. Patent Application No. 2001/0052995 to Idehara as applied to claim 1 above, and further in view of U.S. Patent No. 6,332,170 to Ban.

a. As per claim 2, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara teaches the claimed invention as described above. However, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara failed to teach wherein said first processing job is stored in a medium selected from the group consisting of a hard disk and an image store associated with said user's identity.

Ban teaches a printing apparatus with job interrupt capabilities and control method thereof. Furthermore, Ban teaches wherein said processing job is stored in a medium selected from the group consisting of a hard disk and an image store associated with said user's identity (See col. 4, lines 25-29).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said processing job is stored in a medium selected from the group consisting of a hard disk and an image store associated with said user's identity as taught by Ban in the claimed invention of Teng et al in view of Yamazaki and further in view of Ootsuka et al and further in view of Ootsuka et al in order to identify information (See col. 4, lines 25-29).

b. As per claim 10, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara teaches the claimed invention as described above. However, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara failed to teach interrupting an existing processing job having a first arrived at priority, that is currently using a production device, such that another processing job can use said production device, said another processing job having a second arrived at priority different from said first arrived at priority.

Ban teaches interrupting an existing processing job having a first arrived at priority, that is currently using a production device, such that another processing job can use said production device, said another processing job having a second arrived at priority different from said first arrived at priority (See col. 5, lines 50-57).

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It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate interrupting an existing processing job having a first arrived at priority, that is currently using a production device, such that another processing job can use said production device, said another processing job having a second arrived at priority different from said first arrived at priority as taught by Ban in the claimed invention of Teng et al in view of Yamazaki and further in view of Ootsuka et al in order to provide a printing environment in which the user can obtain prints of a special print job without stagnation of ordinary print jobs (See col. 1, lines 65-67).

6. Claims 3, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,045 to Teng et al in view of U.S. Patent Application No. 2003/0208607 to Yamazaki further in view of U.S. Patent 6,125249 to Ootsuka et al further in view of U.S. Patent Application No. 2001/0052995 to Idehara as applied to claim 1 above, and further in view of U.S. Patent No. 6,573,910 to Duke et al.

a. As per claim 3, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara further in view of Idehara teaches the claimed invention as described above. However, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara failed to teach wherein said setting said first deferred start time includes avoiding conflict with unavailable deferred start times of said production device.

Duke et al teaches an interactive distributed communication method and system for bidding on, scheduling, routing and executing a document processing job. Furthermore, Duke et

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al teaches wherein said setting said deferred start time includes avoiding conflict with unavailable deferred start times of said production device (See col. 11, lines 5-27)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein said setting said deferred start time includes avoiding conflict with unavailable deferred start times of said production device as taught by Duke et al in the claimed invention of Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara further in view of Idehara in order to provide a distributed job processing system and method with a plurality of remote job processing locations (See col. 1, lines 10-15).

b. As per claim 5, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara further in view of Idehara teaches the claimed invention as described above. However, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara failed to teach further comprising reserving quantities of said respective resources required to process said first processing job during said deferral period.

Duke et al teaches further comprising the step of reserving quantities of said respective resources required to process said processing job during said deferral period (See 11, lines 5-25).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate further comprising the step of reserving quantities of said respective resources required to process said processing job during said deferral period as taught by Duke et al in the claimed invention of Teng et al in view of Yamazaki and further in view of Ootsuka

et al further in view of Idehara et al in order to provide a distributed job processing system and method with a plurality of remote job processing locations (See col. 1, lines 10-15).

c. As per claim 6, Teng et al in view of Yamazaki and further in view of Ootsuka et al teaches the claimed invention as described above. Furthermore, Teng et al teaches wherein said reserved resources required to process said first processing job are monitored during said deferral period (See col. 7, lines 37-40)

7. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,045 to Teng et al in view of U.S. Patent Application No. 2003/0208607 to Yamazaki further in view of U.S. Patent 6,125249 to Ootsuka et al further in view of U.S. Patent Application No. 2001/0052995 to Idehara further in view of U.S. Patent No. 6,573,910 to Duke et al as applied to claim 6 above, and further in view of U.S. Patent No. 6,310,692 to Fan et al.

a. As per claim 7, Teng et al in view of Yamazaki and further in view of Ootsuka et al teaches the claimed invention as described above. However, Teng et al in view of Yamazaki further in view of Ootsuka et al and further in view of Duke et al failed to teach wherein during said deferral period a warning message is displayed whenever any of said reserved resources is depleted to a quantity not greater than said reserved quantity of said reserved resource.

Fan et al teaches a dynamic preventive, centralized printer resource management system and method. Furthermore, Fan et al teaches wherein during said deferral period a warning

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message is displayed whenever any of said reserved resources is depleted to a quantity not greater than said reserved quantity of said reserved resource (See col.m3, lines 5-12).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein during said deferral period a warning message is displayed whenever any of said reserved resources is depleted to a quantity not greater than said reserved quantity of said reserved resource as taught by Fan et al in the claimed invention of Teng et al in view of Yamazaki further in view of Ootsuka et al further in view of Idehara and further in view of Duke in order for the user to investigate and resolve the problem prior to the resources becoming entirely exhausted and to avoid printer down-time and improve the overall efficiency of the print management system (See col. 3, lines 9-26).

b. As per claim 8, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara teaches the claimed invention as described above. However, Teng et al in view of Yamazaki further in view of Ootsuka et al further in view of Idehara and further in view of Duke et al failed to teach wherein during said deferral period said reserved resources are reported as if said reserved quantities of said reserved resources had already been consumed.

Fan et al teaches wherein during said deferral period said reserved resources are reported as if said reserved quantities of said reserved resources had already been consumed (See col. 3, lines 5-12 and col. 4, lines 40-50).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein during said deferral period said reserved resources are reported as if said reserved quantities of said reserved resources had already been consumed as

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taught by Fan et al in the claimed invention of Teng et al in view of Yamazaki further in view of Ootsuka et al further in view of Idehara and further in view of Duke in order for the user to investigate and resolve the problem prior for the resources becomes entirely exhausted and to avoid printer down-time and improve the overall efficiency of the print management system (See col. 3, lines 9-26).

c. As per claim 9, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara and further in view of Duke teaches the claimed invention as described above. However, It is inherent to one with ordinary skill in the art wherein during said deferral period said warning message is removed if said reserved resources are replenished above said reserved quantity.

8. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,045 to Teng et al in view of U.S. Patent Application No. 2003/0208607 to Yamazaki further in view of U.S. Patent 6,125249 to Ootsuka et al further in view of U.S. Patent Application No. 2001/0052995 to Idehara as applied to claim 1 above, and further in view of U.S. Patent No. 6,310,692 to Fan et al.

a. As per claim 13, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara teaches the claimed invention as described above. However, Teng et al in view of Yamazaki and further in view of Ootsuka et al failed to teach reserving until said

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deferred start time said required resources in quantities sufficient to process said first imaging information with said selected production options.

Fan et al teaches reserving until said deferred start time said required resources in quantities sufficient to process said first imaging information with said selected production options (See col. 4, lines 40-50).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate reserving until said deferred start time said required resources in quantities sufficient to process said first imaging information with said selected production options as taught by Fan et al in the claimed invention of Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara in order for the user to investigate and resolve the problem prior for the resources becomes entirely exhausted and to avoid printer down-time and improve the overall efficiency of the print management system (See col. 3, lines 9-26).

b. As per claim 14, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara teaches the claimed invention as described above. However, Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara failed to teach to monitor until said deferred start time said required resources and to display a warning message whenever any of said reserved resources is depleted to a quantity not greater than said reserved quantity of said reserved resource.

Fan et al teaches to monitor until said deferred start time said required resources and to display a warning message whenever any of said reserved resources is depleted to a quantity not

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greater than said reserved quantity of said reserved resource (See col. 3, lines 3-10 and col. 4, lines 40-50).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate to monitor until said deferred start time said required resources and to display a warning message whenever any of said reserved resources as taught by Fan et al in the claimed invention of Teng et al in view of Yamazaki and further in view of Ootsuka et al further in view of Idehara in order in order for to the user to investigate and resolve the problem prior for the resources becomes entirely exhausted and to avoid printer down-time and improve the overall efficiency of the print management system (See col. 3, lines 9-26).

***Allowable Subject Matter***

Claims 21-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Djenane Bayard

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Patent Examiner



RUPAL DHARIA  
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